

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 438 be amended to read as follows:

- 1 Page 3, line 21, delete "members" and insert "**member**".
- 2 Page 4, delete lines 28 through 33 and insert "**organization if the**
- 3 **articles of incorporation or the bylaws of the Indiana Underground**
- 4 **Plant Protection Service or its successor organization do the**
- 5 **following:**
- 6 (1) Provide that the board of directors of the Indiana
- 7 Underground Plant Protection Service or its successor
- 8 organization is composed of:
- 9 (A) five (5) members representing electric utilities other
- 10 than municipal electric utilities, including corporations
- 11 organized or operating under IC 8-1-13 or corporations
- 12 organized under IC 23-17, some of whose members are
- 13 local district corporations (as described in IC 8-1-13-23);
- 14 (B) five (5) members representing investor owned gas
- 15 utilities, including pipelines;
- 16 (C) five (5) members representing telecommunications
- 17 providers, including providers of cable television service;
- 18 (D) five (5) members representing water or sewer utilities
- 19 other than municipal water or sewer utilities; and
- 20 (E) five (5) members representing political subdivisions,
- 21 including municipal utilities.
- 22 (2) Require the affirmative vote of at least sixty percent (60%)
- 23 of each category of members in subdivision (1) to approve an
- 24 increase, a decrease, or any other adjustment to the
- 25 membership dues, rates, tariffs, locate fees, or any other
- 26 charges imposed by the Indiana Underground Plant
- 27 Protection Service or its successor organization.
- 28 (d) The association identified in subsection (c) shall provide the
- 29 services described in subsection (a) by:
- 30 (1) recording for the association's members the information
- 31 required by section 15.5 of this chapter; and

- 1 **(2) providing for mutual receipt of notice of excavation or**
2 **demolition operations under section 16 of this chapter.**
3 **(e) The association identified in subsection (c) shall:**
4 **(1) annually update the association's grid map data, including**
5 **street addresses; and**
6 **(2) make reasonable efforts to reduce incorrect locate**
7 **requests issued to the association's members."**
(Reference is to SB 438 as printed February 7, 2003.)

Senator HERSHMAN